

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

January 13, 2023

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

v.

SUDHAKAR KALAGA

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CRIMINAL NO. H-22-285

SUPERSEDING CRIMINAL INFORMATION

The United States Attorney charges:

COUNT ONE
(Conspiracy 18 U.S.C. § 371)

A. INTRODUCTION

At all times material to this Superseding Criminal Information:

1. Defendant **SUDHAKAR KALAGA** (“**KALAGA**”) and a co-conspirator whose initials are “PD” resided in Houston, Texas.
2. **KALAGA** was the owner of several companies in the Houston area. PD was the facilities manager for the Victim Company’s manufacturing facilities in Houston, Texas.
3. From in or about 2010 until in or about 2019, **KALAGA** conspired with PD in a bribery and bid rigging scheme to obtain construction and maintenance work at the Victim Company. **KALAGA** submitted fake bids to the Victim Company through PD, who coordinated the submission of the fake bids to make it appear that

KALAGA’S company was the low bidder. In exchange for rigging the bidding process in **KALAGA’S** favor, **KALAGA** paid PD millions of dollars in cash, luxury gifts, and other items. When submitting invoices for payment to the Victim Company, **KALAGA** failed to disclose to the Victim Company that he was submitting falsified bids or paying PD kickbacks from the Victim Company’s funds. The Victim Company would not have paid **KALAGA’S** companies’ invoices had it known about the falsified bids or the kickback payments to PD.

B. THE CONSPIRACY

5. From at least in or around 2010 through in or around 2019, in the Houston Division of the Southern District of Texas and elsewhere,

SUDHAKAR KALAGA

the defendant, and others known and unknown, did knowingly combine, conspire, confederate, and agree with others known and unknown, to commit mail fraud, in violation of Title 18, United States Code, Section 1341.

6. It was a part and object of the conspiracy that defendant, and others known and unknown, did knowingly and willfully devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme, did cause mail to be delivered by private and commercial interstate carriers, in violation of Title 18, United States Code, Section 1341.

C. MANNER AND MEANS OF THE CONSPIRACY

7. The defendant sought to accomplish the purpose of the conspiracy by, among other things, the following manner and means, among other things:

- a. **KALAGA** submitted falsified bids from non-existent construction companies to the Victim Company to make it appear that his companies were the low bidder on Victim Company construction and maintenance projects;
- b. **KALAGA** submitted falsified bids from non-existent construction companies to the Victim Company that were inflated at least by an amount necessary to pay kickbacks to PD;
- c. **KALAGA** paid Victim Company employee PD millions of dollars from the proceeds of Victim Company payments to **KALAGA'S** companies in exchange for PD coordinating fake bids to ensure that **KALAGA'S** companies won bids for work at the Victim Company;
- d. When **KALAGA** submitted invoices to the Victim Company for payment, he failed to inform the Victim Company that he was submitting falsified bids and that he was paying Victim Company employee PD a portion of the Victim Company payments in exchange for PD funneling work to **KALAGA'S** companies, causing the Victim Company to mail millions of dollars in check payments to **KALAGA'S** companies.

D. ACTS IN FURTHERANCE OF THE CONSPIRACY

To achieve the purpose of the conspiracy, the defendant and other co-conspirators in the Southern District of Texas and elsewhere, committed and caused to be committed the following acts in furtherance of the conspiracy, including knowingly causing mail to be delivered by a private and commercial interstate carrier as set forth below:

ACT/PARAGRAPH	DATE	DESCRIPTION
8	July 28, 2010	Mail matter containing a check delivered to the Southern District of Texas
9	September 7, 2011	Mail matter containing a check delivered to the Southern District of Texas
10	December 19, 2012	Mail matter containing a check delivered to the Southern District of Texas
11	March 1, 2013	Mail matter containing a check delivered to the Southern District of Texas
12	May 1, 2014	Mail matter containing a check delivered to the Southern District of Texas
13	August 5, 2015	Mail matter containing a check delivered to the Southern District of Texas
14	August 10, 2016	Mail matter containing a check delivered to the Southern District of Texas
15	August 23, 2017	Mail matter containing a check delivered to the Southern District of Texas
16	June 27, 2018	Mail matter containing a check delivered to the Southern District of Texas

17	July 24, 2019	Mail matter containing a check delivered to the Southern District of Texas
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In violation of Title 18, United States Code, Section 371.

ALAMDAR S. HAMDANI
United States Attorney

By: Belinda Beek
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